

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DOUGLAS YOUNG,

Plaintiff,

-v-

No. 9:13-CV-999
(DNH/RFT)

C.O. M. MONINGTON,

Defendant.

APPEARANCES:

DOUGLAS YOUNG, 06-A-4095
Plaintiff pro se
Wende Correctional Facility
P.O. Box 1187
Alden, NY 14004

HON. ERIC T. SCHNEIDERMAN
Attorney General for the State of New York
Attorney for Defendant
The Capitol
Albany, NY 12224

OF COUNSEL:

GREGORY J. RODRIGUEZ, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Douglas Young brought this civil rights action pursuant to 42 U.S.C. § 1983. On June 16, 2014, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) be granted and plaintiff's complaint be dismissed without prejudice. No objections to the Report-Recommendation were filed.

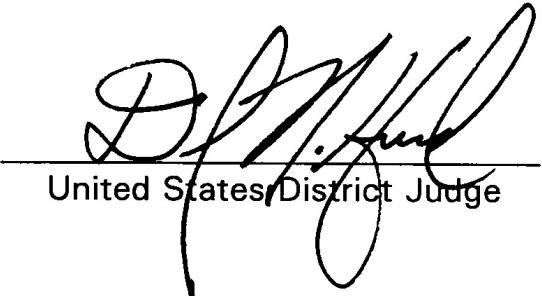
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Defendant's motion to dismiss is GRANTED; and
2. Plaintiff's complaint is DISMISSED without prejudice.

The Clerk is directed to serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules and close the file.



United States District Judge

Dated: July 8, 2014
Utica, New York.